

## M'GUIRE RETURNS, GRAFT CASE OFF UNTIL MONDAY

District Attorney Whitman Delays Arraignment Because of Short Court Day.

INQUIRY IS STILL ON.

Prosecution to Present More Evidence to Grand Jury on Activities of 'Tom' Hassett.

James K. McGuire, ex-Mayor of Syracuse and representative of the Barber Asphalt Company, returned to New York today from the tropics and was surprised to learn that the District Attorney did not demand his immediate presence at the Criminal Courts Building. Mr. McGuire had been told to believe that inasmuch as he had been indicted for collecting a campaign contribution from a corporation he was wanted in New York as soon as he could get here.

On his arrival he was told that as the District Attorney's office runs under half pressure on Saturday and there are no courts in session, he need not surrender himself until Monday. The arrangements had been made



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*Wm. Wood*

with Mr. Whitman by John B. Stanchfield, who acted for Mr. McGuire as an old friend and not in the capacity of counsel. It has not been settled that Mr. Stanchfield will appear in defense of Mr. McGuire.

The John Doe inquiry into up-State contribution graft will be resumed next Monday afternoon. On Wednesday the Grand Jury will take up again its investigation of the charge that Thomas Hassett extorted \$1,000 from a Poughkeepsie contractor to get the contractor's bill through the Department of Highways. Hassett is associated in a confidential capacity with State Engineer John A. Benson.

## THREE CUP DEFENDERS ARE NOW ASSURED BY LATEST CONTRACT

New York, Philadelphia and Boston Syndicate Order One From Maine Builders.

It is now an assured fact that there will be at least three candidates next summer for the defense of the America's Cup, a contract having been signed today by John S. Hyde, President of the Bath Iron Works of Bath, Me., and Commodore R. W. Clarke of Philadelphia, representing a syndicate of New York, Philadelphia and Boston yachtsmen, calling for the construction of another defender.

George Owen, the Newton, Mass. yacht designer, will design the boat, which will be of the sloop type. Much interest is manifested in the prospective boat because of the entrance of Mr. Owen in the America's Cup field. He designed the fleet Dorothea and has several fast boats to his credit in the P and Q classes. He has been spoken of several times in the past as a probable cup designer.

Capt. S. B. Howell will be the sailing master of the new boat, which will probably be called the "Tri-City" because the money who are putting up the money to build her are from the three big Eastern cities—New York, Philadelphia and Boston. Howell won the first King's Cup race with the sloop Effort. For the last few years he has been captain of Mr. Pynchon's Herreshoff 65-footer Iolanda. Mr. Clarke, who signed the contract today in behalf of the syndicate, is the owner of the Herreshoff schooner Queen.

Mr. Hyde, the Maine boat builder; Mr. Owen, the designer, and Mr. Clarke, representing the syndicate, have been in conference for several days at the office of George M. Pynchon, at No. 115 Broadway, and it was not until today that they affixed their signatures to a contract.

With the advent of the "Tri-City" there are now three yachts to contend for the honor of defending the cup against Tom Lipton's Shamrock IV, next summer. The boat ordered by Alexander Smith Cochran from designs by William Gardner is under construction at the yards of Lawley & Sons in South Boston and the Herreshoff craft, ordered by the flag officer syndicate of the New York Yacht Club, is well under way at Bristol, R. I.

All the New York members of the latest syndicate to enter the field are also members of the New York Yacht Club.

**Christmas Tree at Capitol.** WASHINGTON, Dec. 6.—There will be a community Christmas tree on the broad plaza at the east front of the Capitol Christmas eve, with high Government officials participating in the festivities and the United States Marine Band supplying music. Vice-President Marshall and Speaker Clark today signed permits suspending Capitol rules to allow the erection of the tree.

**Full in Five House Kills "Vamp."** Alfred Black, fifty, long a resident in Old House Landing Road, Little Neck, slipped on the staircase of the meeting rooms of the Active Hook and Ladder Company, Broadway, Little Neck, after a meeting last night and was picked up head. His skull had been fractured. He was one of the few surviving "vamps."

## SHE WAS PICKED UP IN THE STREET--DOES ANYBODY KNOW HER?



JANE DOE, NO. 29

Does any one know this little, brown-eyed, six-year-old girl, who has been at the Children's Society rooms, at No. 29 Fourth avenue, since Nov. 27? On that night she was found at Clinton and Delancey streets by Patrolman Ryan of the Clinton street station. She wore a white cap with a red border, red coat, blue-and-white checked dress, black-and-white undershirt, cheap but clean and well mended white muslin underclothing and black shoes and stockings.

The only language she speaks is Polish. She is looked as Jane Doe No. 29. Nobody has told the police of the loss of such a child.

## POPE GRIEVED BY DEATH OF CARDINAL OREGLIA

Was Dean of Sacred College and May Be Succeeded in Rank by Cardinal Gibbons.

ROME, Dec. 6.—The Pope was deeply grieved when told today that Cardinal Luigi Oreglia di Santo Stefano Aloysius, dean of the Sacred College, had passed away last night. Although the aged cardinal's death had been expected, the Pope sustained a shock when Monsignor Giovanni Bressan informed him as cautiously as possible of the occurrence. The Pontiff had always felt toward Cardinal Oreglia a sentiment of great respect and appreciation of the energy with which he had conducted the affairs of the Vatican during the interregnum between the death of Pope Leo XIII. and his own election, when Cardinal Oreglia was Chamberlain of the Conclave.

BALTIMORE, Dec. 6.—Cardinal Gibbons when asked this morning if he would become dean of the Sacred College because of the death of Cardinal Oreglia said:

"The oldest member of the Sacred College is known as the dean. In one sense of the word, I will become dean of the Sacred College, because, in number of years, I am the oldest living cardinal. I was born six years before Cardinal Neto, the oldest Cardinal in point of service."

"Cardinal Neto was created a Cardinal in 1884 and I in 1886. So if you look at the situation from one point, I am now the dean of the Sacred College and from the other point of view Cardinal Neto is."

## Discomfort After Meals

Feeling oppressed with a sensation of stuffiness and belching of wind are symptoms of indigestion. With these there will be Constipation, Piles, Fulminant of the Blood in the Head, Nausea, Heartburn, Headache, Bloating of Bowels, Flatulence of the Stomach, Throbbing Sensation, Headache on Rising, Dizziness before the Night, Yellowness of the Skin, Pain in the Side, Chest, Lungs and Modern Diseases of Heart. A few doses of

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will aid in freeing the system of all the above-named disorders. Price, 25 cents. 25¢ a box. At Druggists or by mail. RADWAY & CO., NEW YORK.

## COURT LETS SPEEDERS GO THROUGH LOOP IN AUTOMOBILE LAW

Recklessness With Fast Driving Necessary to Convict Before Nash.

Magistrate Nash called a halt today on the heavy fining of speeding motorists and incidentally delivered a lecture to Motorcycle Policemen Cassidy and Noonan, cautioning them in the future to observe the law a little more carefully themselves. He said that since the inception of the present crusade policemen had got into the habit of making arrests solely because of high speed, without consideration of the other phases of the law, which requires that the rate of speed be considered in relation to the care of the recklessness of the driving.

Twelve men were brought before the Magistrate in the Flatbush Court, and he discharged seven of them. Two he fined because they had driven both fast and recklessly, in his opinion, and three he let go because they were not guilty. In each case the Magistrate fixed \$25 as the amount of the fine, with the alternative of two days in jail.

The arrests were made last evening on the Bedford avenue hill, which stretches for several hundred yards from Eastern Parkway to Malbone street. Squadron C has a big armory on one side of the street, and near Malbone street are the Brooklyn baseball grounds. Except for these there are only a few shanties and a row of apartment houses on the avenue.

"You policemen must take these conditions into consideration," declared the Magistrate in discharging the motorists. "The law says that a speed between fifteen and twenty miles an hour is presumptive, not conclusive evidence of reckless driving in settled localities, but where buildings are 100 feet apart or in sparsely settled neighborhoods the limit is increased to twenty-five miles an hour before the speed is considered conclusive evidence of recklessness."

"Bedford avenue is sparsely settled. A man may drive there at twenty-five miles an hour, provided the presence of an unusual number of vehicles or persons in the street does not make his speed reckless, and still remain within the restrictions of the law. The mere fact that he is making twenty-five miles an hour is not proof conclusive that he was reckless; it is only presumptive evidence and leaves on you policemen the burden of proving him reckless. You cannot do so in these cases and I shall discharge the prisoners."

**Dolphin Off for San Domingo.** WASHINGTON, Dec. 6.—The gunboat Dolphin, with a crew of 150 officers and men, sailed from Washington today for an indefinite stay in Dominican waters. She will probably lie off Santo Domingo City until after the election, Dec. 15.

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## GOV. SULZER'S BROKER LOSES FIGHT TO SHOW THAT WIFE IS GUILTY

Justice Ford Declines to Send Commission to Bermuda to Take Testimony.

John Boyd Gray, Gov. Sulzer's broker, whose wife says he made \$50,000 last year, will not be permitted to have a commission take testimony in Bermuda to show that he ought to have a divorce from Justine Sutton Gray on grounds of infidelity. This is the second appearance of the Grays in a divorce court. On Dec. 4, 1911, Mrs. Gray got a decree at Reno, Nev. She returned to New York and four months later they were remarried in Hoboken.

Some time ago Gray filed a suit for absolute divorce. Mrs. Gray answered with a denial and filed suit for divorce, charging her husband with various offenses in London and Brighton, England, and aboard the steamers Oceanic and America.

Before Justice Ford to-day Gray sought to delay the trial so that a commission might be sent to Bermuda to take the testimony of hackmen, bartenders, barmaids, porters and other hotel attendants, by whom he hopes to prove his charges against his wife.

Mrs. Gray told Justice Ford she had been to great expense preparing for the trial and that she had just pawned her last piece of jewelry properly to defend her rights. She is receiving \$50 a month alimony and \$1,500 counsel fees.

## ONE DOSE RELIEVES A COLD—NO QUININE

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Relief comes instantly. A dose taken every two hours until three doses are taken will end grippe misery and break up a severe cold either in the head, chest, body or limbs. It promptly opens clogged-up nostrils and air passage in the head, stops nasty discharges or nose running, relieves sick headache, dizziness, feverishness, sore throat, sneezing, soreness and stiffness.

Don't stay stuffy! Quit blowing and snuffling! Ease your throbbing head! Nothing else in the world gives such prompt relief as "Pape's Cold Compound," which costs only 35 cents at any drug store. It acts without assistance, tastes nice, causes no inconvenience. Be sure you get the genuine.

## HOLD FULTON FOR ASSAULT.

Police Lieutenant Charged With Corruption of Children's Morals.

Ident of Police Edward Fulton, for thirty years or more attached to the West Brighton station house, both before and since consolidation, who was yesterday suspended by Commissioner Waldo, was arraigned in the New Brighton court to-day before Magistrate Handy, who asked \$2,500 bail on an alteration of assault and of endangering the morals of a child. Both charges were made by Charles A. Ingalls, president of the Richmond S. P. C. C. upon the allegations made in affidavit form by Sarah Beattie as to the more serious charge, and by

## NAVY MEN TO PLAY FOOTBALL.

The deciding game of a series between the First Battalion, Naval Militia and Panwood Athletic Club rugby football teams will take place to-morrow morning on Manhattan Field, One Hundred and Forty-ninth street and Seventh avenue. Two games previously played resulted in ties.

## FLOWERS Blooming in Bay State.

SPRINGFIELD, Mass., Dec. 6.—As a result of continued mild weather, magnolia trees are putting forth buds and pansies have bloomed out of doors here. Dandelion blossoms were picked in Westfield to-day and several varieties of flowers are coming to life in this section.

## ACTOR ALEC HURLEY DEAD.

English toster Comedian Was Divorced by Marie Lloyd.

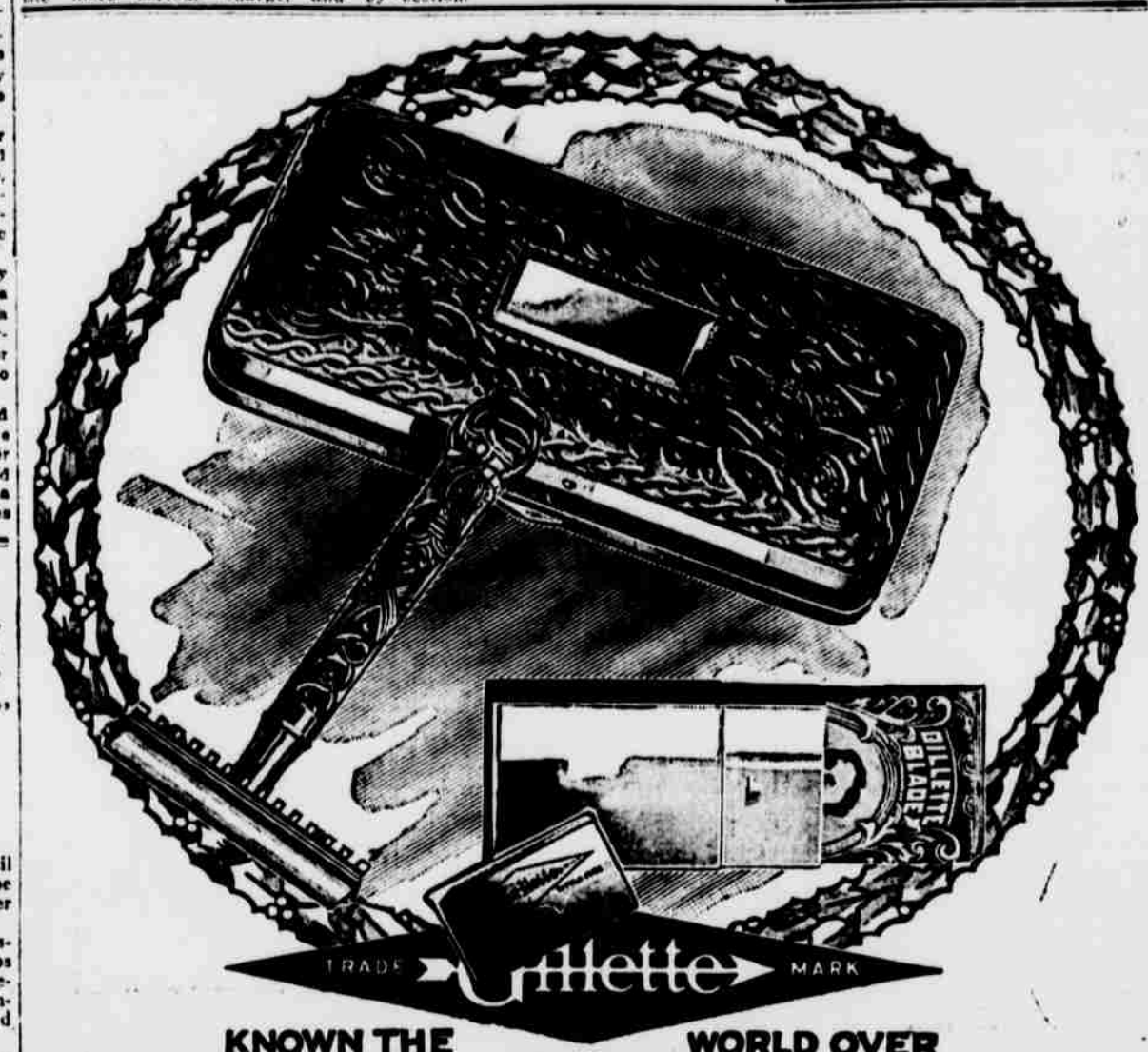
LONDON, Dec. 6.—Alec Hurley, one of the greatest toster comedians on the English music hall stage, who was recently divorced by Marie Lloyd, the variety actress, died here to-day.

## Do You Have the Blues?

Pain in side, Back, Stomach? Mouth sore and on waking? Tongue always coated? If you have any of these symptoms, you so doubt have Indigestion, Dyspepsia, or some Stomach Disorder, which can be cured only if you will try

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KNOWN THE WORLD OVER

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Other Pocket Editions (gold-plated), in cases of Gold-plate, Gun Metal, Leather—\$5.50 and \$6.

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## FEATURES OF NEXT SUNDAY'S WORLD.